



April 27, 2010

The Honorable Tom George, Chairperson Health Policy Committee
Michigan Senate
P. O. Box 30036
Lansing, MI 48909-7536

RE: House Bill 4900

Dear Senator George:

The Michigan Association for Local Public Health (MALPH), representing the forty-five city, county and district health departments in Michigan, supports HB 4900. Passage of this legislation will enhance the abilities of local health departments in dealing with public health emergencies such as a communicable disease outbreak.

During a public health emergency, coordination between public health officials and public safety agencies is critical. Enforcement of health officer orders designed to contain spread of disease can require immediate action by law enforcement officers. The Michigan Public Health Code provides parallel authority to the state health department and to the state's 45 local health departments to prevent and control disease. A person who violates a provision of the Public Health Code for which a penalty is not otherwise provided is guilty of a misdemeanor. While state law provides that a violation of an order of the MDCH Director is a misdemeanor, providing the legal basis for a law enforcement officer to enforce an order through the officer's arrest power, no such provision is in place for law enforcement officer's to enforce an order of a local health officer.

HB 4900 corrects that situation and provides additional protection to local communities in controlling public health emergencies. MALPH requests that consistent with the treatment of violations of orders issued by the Michigan Department of Community Health, section 2441 of the Public Health Code (MCL 333.2441) are amended to make violation of a local health officer's order punishable in the same manner as violation of a local health department regulation.

Thank you for your consideration and for your service to the great state of Michigan.

Sincerely,

C. Michael Krecek, RS, MA
MALPH President